

THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 409 Session of
1999

INTRODUCED BY GREENLEAF, THOMPSON, BOSCOLA, EARLL, HART, SLOCUM,
TILGHMAN, WAUGH AND WHITE, FEBRUARY 22, 1999

REFERRED TO LABOR AND INDUSTRY, FEBRUARY 22, 1999

AN ACT

1 Amending the act of December 5, 1936 (2nd Sp.Sess., 1937
2 P.L.2897, No.1), entitled "An act establishing a system of
3 unemployment compensation to be administered by the
4 Department of Labor and Industry and its existing and newly
5 created agencies with personnel (with certain exceptions)
6 selected on a civil service basis; requiring employers to
7 keep records and make reports, and certain employers to pay
8 contributions based on payrolls to provide moneys for the
9 payment of compensation to certain unemployed persons;
10 providing procedure and administrative details for the
11 determination, payment and collection of such contributions
12 and the payment of such compensation; providing for
13 cooperation with the Federal Government and its agencies;
14 creating certain special funds in the custody of the State
15 Treasurer; and prescribing penalties," further providing for
16 the definition of "employment."

17 The General Assembly of the Commonwealth of Pennsylvania
18 hereby enacts as follows:

19 Section 1. Section 4(1)(1) of the act of December 5, 1936
20 (2nd Sp.Sess., 1937 P.L.2897, No.1), known as the Unemployment
21 Compensation Law, amended July 6, 1977 (P.L.41, No.22), is
22 amended to read:

23 Section 4. Definitions.--The following words and phrases, as
24 used in this act, shall have the following meanings, unless the

1 context clearly requires otherwise.

2 * * *

3 (1) (1) "Employment" means all personal service performed
4 for remuneration by an individual under any contract of hire,
5 express or implied, written or oral, including service in
6 interstate commerce[, and service as an officer of a
7 corporation].

8 * * *

9 Section 2. Section 402.4 of the act is repealed.

10 Section 3. The amendment of section 4 shall apply to an
11 officer of a corporation deemed to be a self-employed person
12 because the officer exercises a substantial degree of control
13 over the corporation. If the officer has made contributions to
14 the fund prior to the effective date of this act, other than
15 contributions made for employees, the provisions of section
16 402.4 continue to apply to the officer.

17 Section 4. This act shall take effect immediately.